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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

OCT 19 2004

Mr. Anthony Cinque
Case Manager
Bureau of Federal Case Management
New Jersey Department of Environmental Protection
401 East State Street
Trenton, NJ 08625

Re: L.E. Carpenter Superfund Site, Wharton, NJ. Review and comment on the document entitled, Response to Regulatory Comments on the Remedial Action Work Plan (RAWP), dated September 2004.

Dear Mr Cinque:

The U.S. Environmental Protection Agency (EPA) has completed its review and comment on document entitled, Response to Regulatory Comments on the Remedial Action Work Plan (RAWP), submitted by RMT Inc., dated September 2004, for the LE Carpenter Superfund Site in Wharton Borough, New Jersey, and has attached comments. The document was submitted in response to EPA and New Jersey Department of Environmental Protection (NJDEP) Comment letters dated July 15, 2004, and July 21, 2004, respectively. If you have any questions or comments on this letter, please feel free to discuss them with me at (212) 637-4411, at your earliest convenience. Thank you for the opportunity to review the above submittal.

Sincerely,

Stephen Cipot, Project Manager
Southern New Jersey Remediation Section

Enclosure

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U.S. Environmental Protection Agency (EPA) comments on the document, Response to Regulatory Comments on the Remedial Action Work Plan, submitted by RMT, dated September 2004

In general the responses contained in the above submittal address many of the EPA's concerns, however, several key differences remain which could have consequences on the long term effectiveness of the remedy.

1. Post-excavation foot/base samples are still not planned within the excavation areas, nor will the LNAPL soils be sampled (page 3 of 10, page 4 of 10). EPA strongly believes foot/base samples should be collected. Since the excavation depth is only to the top of the smear zone this can lead to leaving both heavily contaminated soils and LNAPL hot spot areas behind, which could then compromise the long term effectiveness of the remedy. It is prudent to collect foot/base samples during the presently planned remedial phase, rather than having to deal with remaining hot spots at a later time. Hot spots may also be difficult to locate without having any prior baseline soils samples to compare to. Moreover, since excavated material will be replaced by a concrete monolith, thus making future excavation of any hot spots or their remediation difficult. Collection of foot/base samples is of further a concern because RMT has proposed Monitored Natural Attenuation (MNA) as the sole follow-up remedial means of handling residuals contaminants, however, any potential remaining significant contamination that could be left in place after excavation might greatly impede MNA. If MNA were to be considered we would at a minimum need assurance that no significant source remains. That can only be done thru post-excavation sampling. We would rather know this information now so as to be better able to monitor and deal with potential MNA issues. MNA, it should further be noted, has not been proven to be an effective remedial measure at the site, and it is not the preferred remedial alternative at this time, contrary to the text (page 7 of 10).

2. The above applies to planning a sufficient number of both borings and collection of side wall samples (page 3 of 10, page 4 of 10), during the planned excavation remedial phase. As previously noted, EPA believes the proposed 35 foot spacing for the PCB area, 40 foot spacing for metals, and 50 foot for lead should be reduced so that approximately 15 to 20 percent more borings/samples locations can be obtained for confirmation to ensure remedial goals have been achieved, and that there will be no surprises or negative impacts to the long term effectiveness of the remedy. The NJDEP has requested that EPA use 30 foot sample grids, in accordance with NJDEP tech regs., at other Superfund sites. The EPA expects NJDEP would require that standard, at a minimum, here.

3. PCB-Impacted Soil Cleanup Criteria (page 4 of 10). Text regarding the PCB-Impacted Soil Cleanup Criteria is confusing. The paragraph begins by stating the PCB area will be excavated. The 1994 ROD selected Non-Residential Cleanup Criteria of 2 ppm, however, as the site will be converted to municipal use the residential cleanup criteria of 0.49 ppm is more appropriate, as noted in the text. However, the next sentence then contradicts this and states that if excavation cannot achieve the 0.49 cleanup goal, deed restrictions will be put into place. Shortly later, last sentence, the report states that if deed restrictions are not an option, PCB impacted soils will be excavated to 0.49 ppm. This is not clear nor is it an acceptable approach to remediating the PCB contaminated soils. Why can't an excavation criteria of 0.49 ppm be achieved? Based on the location, limited extent and shallow depth of the PCB area, there seems to be no reason why the residential excavation criteria cannot be achieved.

   In addition to the above, it should be noted that the PCB delineation was approved by the NJDEP in 1994, as part of remedial design activities that were subsequently not carried out. It also appears that some of the original PCB soils were subsequently moved around during any number of the several remedial phases. While both the lead and the LNAPL areas were believed to have been adequately defined, we now know that it took several more years and phases of field work than had been anticipated to define them, finally doing so in 2001. There have been some surprises, as during the 2004 pilot excavation work when an underground storage tank (UST) was uncovered which contained 990 gallons of pure LNAPL product. The PCB soils area design is over ten years old and requires updating. It is also recognized that the proposed excavation depth is too shallow, and EPA believes that sampling should be based on a smaller sampling grid, and include deeper borings, as noted above.

4. Regarding "Clean fill" (page 4 of 10), in addition to lead sampling, site related indicator contaminants should also be analyzed in order to determine if excavated materials can serve as clean back fill.

5. Post Remedial Monitoring Network (page 6 of 10). A groundwater monitoring network will be proposed and submitted upon completion of the remedial action. Developing an adequate post remedial monitoring program is another reason for collecting foot/base soil samples, and an adequate number of sidewall samples, as these data would be useful in planing an adequate remedial monitoring network. This plan should be submitted within 45 days of completion of the remedial action.

6. Wetlands (page 7 of 10). A Wetlands Mitigation Plan must be submitted and approved prior to the implementation of the remedial action. This plan has not yet been submitted for this site.

7. Rockaway River Issues (page 8 of 10). The text states that Rockaway River sediment sampling, hydraulics and water quality measurements will be collected in the Post Remedial Monitoring Network (Plan?), however, no schedule is proposed. Again, foot/base and side walls samples will be useful in the planning of Rockaway River sediment, hydraulics and water quality sampling. It should also be noted that significant excavation activities will be conducted adjacent to the river.

8. Expansion of Excavation(page 10 of 10). In order to remediate the LNAPL stringer that has been recently detected in the vicinity of MW-3, since the submission of the first remedial design plan in 2003, the text states that an additional .492 acres will be remediated down to the water table. The plan also includes remediating the area of the surficial seep that has been recently detected in the Air Products drainage ditch. However, text here also states that excavation in this area will be down to the water table. This seems to conflict with previous statements that the excavated area will be down to the seasonally low water table and into the smear zone below the water table. The excavations should be to the same depth as proposed for the lead and LNAPL excavation, so as to remove as much of the contamination as possible, in one remedial event.

9. The report states that the material from the newly outlined .492 acre area has been included in the volume and the trucking estimates that had been previously provided via email in June 2004 (which was not restated in the submittal), and that the township has been fully apprized of the potential traffic and noise issues. RMT must continue to keep the township and EPA apprized of site status and of any changes in volumes and trucking estimates, in a timely manner. Moreover, any disposal facility which is proposed to take site materials will need to be approved ahead of time by EPA, before wastes can be shipped off-site. The information provided in the request submitted to the EPA site project manager should include the name and address of the proposed facility; the RCRA permit number; date issued and its expiration date; and, the type of waste and volume.